



**United States Consulate General
Monterrey, Mexico**

TREATY TRADER/INVESTOR APPLICATION

If you believe that you or your firm qualify for treaty trader or treaty investor status, please complete the attached questionnaire. Each question should be carefully and completely answered, and copies of the supporting documentary evidence should be attached.

Establishing eligibility is required by law and is not just a formality. Once an enterprise or investment is found qualified for status, it need not re-establish its eligibility each time an employee applies for a visa. However, approved companies will be asked periodically to re-establish their eligibility by providing complete and current information.

A treaty visa is not a substitute for an immigrant visa. People wishing to remain in the United States permanently or indefinitely should apply for immigrant visas. Treaty visas can be renewed or extended only if the applicant and the investment or trade continue to meet all the applicable requirements of United States immigration law and regulations.

Please submit the questionnaire and all supporting documents sufficiently in advance of the formal visa application to allow this office at least one week for their review. No guarantee can be made that any visa will be issued, and no visa will be issued without a personal interview with the visa applicant. Business plans and travel arrangements that require 'E' visas should not be made until such visas are issued.

Please support your responses to the questionnaire with the appropriate documents. If your case is not clearly documented, you will be requested to submit further documentation before a formal application will be accepted. Where more space is necessary, please attach additional pages.

Treaty Trader applicants (E1): Please complete sections I, II, III, V, and VI.

Treaty Investor applicants (E2): Please complete sections I, II, IV, V, and VI.



Treaty Trader / Treaty Investor Questionnaire

PART I. UNITED STATES COMPANY PROFILE

1. Name and address of the enterprise in the United States:

2. The enterprise in the United States is:

- ☐ an independent business investment by an individual(s).
☐ a subsidiary company.
☐ an agency.
☐ a branch or liaison office.
☐ a representative office.
☐ a joint venture with an American individual or firm.

3. Date and place of incorporation of enterprise in the United States:

4. Amount of capital invested in the United States enterprise:

Foreign source capital: \$ _____

Other source capital: \$ _____

5. Describe the trade or business conducted by the enterprise in the United States:

6. What is the dollar amount of the United States-foreign trade for the U.S. enterprise for the past 12 months?

Exports to the U.S. from the treaty country: \$ _____

Imports from the U.S. to the treaty country: \$ _____

Trade with third countries: \$ _____

Domestic U.S. trade: \$ _____

7a. What percentage of the total international trade of the parent company is between the United States and the treaty country? _____ %

- 7b. What percentage of the total international trade of the U.S. enterprise is between the United States and the treaty country? _____ %
8. If available, please provide a copy of the most recent annual report and the U.S. corporate tax returns for last year. If the treaty country requires or provides documentation regarding approval of overseas investment or trade certificates, provide copies.
9. Provide the following information for the company officers responsible for verifying personnel information and for submitting visa applications.

Signature of personnel officer: _____
Typed name of personnel officer: _____
Signature of certifying officer: _____
Typed name of certifying officer: _____
Company title of officer: _____
Date: _____

Company seal, if any: _____

PART II. NATIONALITY OF THE ENTERPRISE

At least fifty percent of the enterprise in the United States must be owned by individuals or corporations who have the nationality of a country with which the United States maintains a Treaty of Friendship, Commerce and Navigation or a Bilateral Investment Treaty.

If the United States enterprise is owned by a foreign corporation, the nationality of the corporation must also be established. The “nationality” of a corporation for E visa purposes is defined as the nationality of at least fifty percent of its owners, regardless of where the corporation is registered or does business.

1. If the U.S. enterprise is majority-owned by an individual, please provide the following information:

Principal individual owner: _____

Permanent address: _____

Percentage of ownership: _____

The names, nationalities, and percentages of ownership of each of the other individual owners of the U.S. enterprise. If any are Legal Permanent Residents of the United States (resident alien card holders), note "LPR" under nationality:

Name	Nationality	Percent ownership
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Has the ownership of the U.S. enterprise changed since its establishment? Indicate YES or NO. If so, please explain how.

2. If the U.S. enterprise is majority-owner by a foreign corporation, please provide the following information:

Principal corporate owner: _____
Total assets in U.S. dollars: _____
Date and place of incorporation: _____
Percentage of U.S. enterprise owned: _____
General nature of parent firm: _____

List the names, nationality, and percentage of ownership of the principal stockholders of the parent corporation:

Name	Nationality	Percent ownership
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

If the U.S enterprise is owned jointly with a U.S. corporation, please list the name and percentage ownership of the U.S. partner:

Name	Percent ownership
_____	_____

Has the ownership of the U.S. enterprise changed since its establishment? Indicate YES or NO. If so, please explain how.

Please provide evidence of the ownership by submitting copies of stock certificates, the joint venture/partnership agreement, or other evidence with the supporting documents.

PART III. FOR TREATY TRADER APPLICANTS ONLY

For treaty trader visa purposes, there must be an actual exchange of goods, monies, or services. This international trade must be substantial in nature primarily between the United States and the treaty country (over 50 percent of total international trade). For Treaty Trader purposes, U.S. visa regulations require that the trade percentages be based on an independent legal entity. Therefore, if the U.S. enterprise is not separately incorporated, the trade percentages the parent company will be relied upon to establish E visa entitlement. Trade figures cannot be future projections. Please provide documentary support for the figures quoted.

1. Nature of the Trade. What goods, monies, or services are traded between the U.S. enterprise and the treaty country?

2. Value of Trade. What is the dollar value and the percentage of the trade handled by the U.S. enterprise in the past year in the following categories? (Specify calendar, fiscal, or tax year.)

Exports from treaty country to U.S.:	\$		/		%
Imports to treaty country from U.S.:	\$		/		%
U.S.-third country trade:	\$		/		%
Treaty country-third country trade:	\$		/		%
Domestic U.S. business:	\$		/		%
TOTAL VALUE:	\$		/		100 %

3. VOLUME OF TRADE. What is the volume of the U.S.-treaty country trade in non-monetary terms? (number of shipments, services rendered that did not result in actual transfer of goods, etc.)

Note: If the volume of trade in monetary and non-monetary terms is less that fifty percent of the total international trade, then the company does not qualify for treaty trader status.

PART IV. FOR TREATY INVESTOR APPLICANTS ONLY

The applicant must have invested or be actively in the process of investing a substantial amount of capital in a commercial enterprise involving risk to the investor, the investor must be able to develop and direct its operations, and the investment must not be marginal or solely for the purpose of earning a living.

1. What is the total investment that has been made in the U.S. enterprise? List the distinct components of the investment (e.g., capital, plant, office building, land, equipment, leases, etc.). Please provide figures for the total investment and for that made only in the past twelve months. Attach supporting documents.

Investment Use	Past 12 months	Total
Office purchase/lease	\$ _____	\$ _____
Furniture	\$ _____	\$ _____
Equipment	\$ _____	\$ _____
Land	\$ _____	\$ _____
Plant	\$ _____	\$ _____
Operating Capital	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
Investment total	\$ _____	\$ _____

2. What were the sources of investment capital (e.g., cash from foreign sources, foreign bank loans, sale of stock or other personal property, etc.). Please provide information regarding how U.S. bank loans have been secured (mortgage debt, commercial loan secured by the assets of the enterprise itself, personal loan secured by applicant’s own assets, etc.).

Foreign capital investment	\$ _____
Foreign bank loans	\$ _____
U.S. bank loans	\$ _____
U.S. joint venture capital	\$ _____
Other (explain)	\$ _____
Other (explain)	\$ _____
Other (explain)	\$ _____

3. If the U.S. enterprise is an investment by an individual, please provide the following information about the principal owner:

Name: _____

Address outside the U.S.:

Percentage of ownership: _____

What are the sources and the amounts of annual income of the principal individual owner (in the U.S. and abroad):

Source	Amount
_____	_____
_____	_____
_____	_____
_____	_____

List the name, nationality, and amount of each of the other owners of the U.S. enterprise. If they are Legal Permanent Residents of the United States (alien resident card holders), note “LPR” under nationality.

Name	Nationality	Percent ownership
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

What is the percentage of the U.S. enterprise over which the investor has direct operational control? _____
%. If there is a difference between the percentage of ownership and the percentage of control, please explain.

4. If the U.S. enterprise is an investment by a corporation, please provide the following information:

Name of corporation: _____

Address of corporate headquarters: _____

Total assets: \$ _____

Date and place of incorporation: _____

Percentage of U.S. enterprise owned: _____ %

General nature of parent firm: _____

5. If the U.S. enterprise is a joint venture by a foreign corporation and a U.S. corporation, please provide the following information about the joint corporate owner.

Name of U.S. corporation: _____
Address of corporate headquarters: _____

Percentage of ownership: _____ %
General nature of parent firm: _____

6. What is the percentage of the U.S. enterprise over which the foreign investor has direct operational control?
_____ %. If there is a difference between the percentage of ownership and the percentage of control, please explain.

PART V. PERSONNEL

List all managerial, executive, and specialist personnel currently assigned in the United States. Provide a separate sheet for each U.S. branch location.

Company name: _____
Address in the U.S. _____

1. Number of treaty country alien employees of this company currently assigned in the United States.

E visa holders: _____
L visa holders: _____
H visa holders: _____
B visa holders: _____
Total treaty country employees: _____

2. Number of non-treaty country alien employees of this company currently assigned in the United States.

L visa holders: _____
H visa holders: _____
B visa holders: _____
Total non-treaty country employees: _____

3. Number of American citizens (“AmCits”) or Legal Permanent Residents (“LPRs”) currently employed in the United States.
- Executives, managers, and specialists: _____
- Secretaries and clerks: _____
- Other positions: _____
- Total AmCit and LPR employees: _____
4. Please provide an organizational chart showing the relationship of the U.S. enterprise above to any affiliated offices or companies in the U.S. and the treaty country.
5. Please provide a staffing pattern for the U.S. enterprise showing al positions, the number of employees supervised by each position, and the visa categories of the incumbents. Please note the position to which the applicant will be assigned.

PART VI. THE APPLICANT

The visa applicant must be employed in a supervisory or executive capacity, or, if the job function is not managerial, the applicant must be specially qualified with unique skills essential to the operations of the enterprise.

1. Applicant’s name: _____
- Social security number: _____

2. Names, ages, and relationships of accompanying family members.

Name	Age	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. The applicant is (check one):
- _____ filling a new position.
- _____ replacing someone. Please name the person being replaced and explain their visa status:
- _____
- _____
- _____ renewing a previous E visas. When and where was the visa issued? _____
- _____

4. Position to be filled: _____

What are the duties of the incumbent, including the number and type of employees to be supervised and/or trained?

5. What experience and education are required to fill this position?

6. What is the annual salary in U.S. dollars? \$ _____

Please provide previous year’s tax return for incumbent of the position.

7. Please attach applicant’s curriculum vitae.

PART VII. CERTIFICATION.

I certify that the information furnished in the questionnaire for the Treaty trader and/or treaty investor status is true and correct to the best of my knowledge and belief.

Signature of person preparing form: _____

Typed Name: _____

Title: _____

Date: _____

Address: _____

Telephone number: _____

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